

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) 2:14-CR-068-APG-(VCF)
)
RICHARD ALAN KLEIN,)
)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on March 20, 2014, defendant RICHARD ALAN KLEIN pled guilty to Count One of a One-Count Criminal Information charging him with Possession of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(5)(B). Criminal Information, ECF No. 3; Plea Agreement, ECF No. 6; Change of Plea, ECF No. ____.

This Court finds defendant RICHARD ALAN KLEIN agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Information. Criminal Information, ECF No. 3; Plea Agreement, ECF No. 6; Change of Plea, ECF No. ____.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Information and the offenses to which defendant RICHARD ALAN KLEIN pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1), (a)(2), and (a)(3):

1. HP Pavilion Laptop, Serial Number CNF11105CV;
2. Blue Sandisk 4GB USB Thumb Drive;
3. Black Centon USB Thumb Drive;
4. Blue Dane 128MB USB Thumb Drive;
5. Lenovo Laptop, Serial Number CBU3475317;
6. Black Dell PC Tower, Serial Number GTSJFK1;
7. Black Denton USA Thumb Drive; and
8. Any visual depiction or any book, magazine, periodical , film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Section 2252A

(all of which constitutes “property”).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of RICHARD ALAN KLEIN in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
2 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
3 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
4 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
5 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
6 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
7 petition and the relief sought.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
9 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than
10 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
11 after the first day of the publication on the official internet government forfeiture site,
12 www.forfeiture.gov.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
14 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
15 following address at the time of filing:

16 Michael A. Humphreys
17 Assistant United States Attorney
18 Daniel D. Hollingsworth
19 Assistant United States Attorney
20 Lloyd D. George United States Courthouse
21 333 Las Vegas Boulevard South, Suite 5000
22 Las Vegas, Nevada 89101.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
24 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
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1 following publication of notice of seizure and intent to administratively forfeit the above-described
2 property.

3 DATED March 21, 2014.

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7 UNITED STATES DISTRICT JUDGE
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